



United States
**Office of
Personnel Management**

Office of the General Counsel
Washington, D.C. 20415-0001

JUN 3 1999

In Reply Refer To:

Your Reference:

MEMORANDUM FOR GENERAL COUNSELS AND HEADS OF PERSONNEL OFFICES

FROM:

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SUBJECT:

Use of Official Time and Agency Resources by **Federal** Employees
who are **Members** of the National Guard or Armed Forces Reserves

The General Accounting Office (GAO) **recently** issued an **opinion** concerning **the** use of official time and agency resources by federal employees who are **members** of the National Guard or armed forces Reserves. (See Attachment, GAO Opinion B-277678, January 4, 1999.) The GAO opinion concludes that agencies may permit their employees to use a limited amount of official time and agency **resources** to **support** the National Guard or armed forces Reserves.

GAO's opinion **recognizes** that the National Guard and Reserves form an important part **of** our national defense and provide assistance to communities during **disasters** and emergencies, and that Congress has encouraged and supported employees' participation in these organizations in various ways. GAO concludes that agencies have some interest in furthering the governmental purpose of, and national interest in, the National Guard and Reserves. Therefore, some use of employee time and agency equipment to carry out **limited**, incidental Guard or Reserve functions may be permitted by agencies.

The Office of Personnel Management (**OPM**) recognizes that the federal personnel system **provides departments** and agencies with considerable flexibility regarding the activities of its employees and in **scheduling** their hours of work and time off. The exercise of such discretion must **be consistent** with relevant legal authorities regarding the use of appropriated funds. However, in light of the recent GAO opinion and **after** consultation with key agencies, OPM offers the following general guidelines to assist agencies in **determining** under what **circumstances** employee time and agency equipment may be used to carry out limited Guard or Reserve functions:

- It is appropriate for **agencies** to provide for the limited use of agency resources for their employees who are **members** of the National **Guard** or armed **forces Reserves** for Guard or Reserve activities during the employee's regular working hours **if the** use involves **minimal expense to the government and does not interfere with official business.**
- **The use of such resources for this purpose should be limited to situations where the employee is called upon to perform some incidental Guard or Reserve function that the employee cannot reasonably schedule for nonworking hours or for which he or she cannot make reasonable arrangements to carry out elsewhere.**

...

- The Guard or **Reserve** activity must not interfere with the agency's mission and the employee's responsibilities to the agency.
- It is reasonable for agency guidance on its support of the National Guard or armed forces Reserves to include a requirement that employees obtain appropriate supervisory approval **before undertaking** Guard or Reserve activity during working hours.

An example of an authorized activity in which an agency's **resources** and an employee's time is appropriate is where the **employee/Reserve member is required** to verbally contact other Reserve unit members and **report** back to the Reserve center by voice or FAX of the unit members' availability. This example of an incidental **Reserve** activity involves minimal expense to the government, does not interfere with official business, **cannot** reasonably be scheduled for nonworking **hours** and does not **interfere** with the agency's mission and the employee's **responsibilities** to the agency.

Questions regarding **interpretation** of this guidance **should** be brought to the legal **counsel** office in each department **and** agency.